



How to contact public bodies

This guidance explains how to raise a concern or complaint about a public service in Scotland.

It explains how to use public bodies like:

- > **The Scottish Public Services Ombudsman**
- > **The Care Inspectorate**
- > **The Scottish Information Commissioner**
- > **Audit Scotland**

These public bodies deliver public services and are not part of the Scottish Government.

You'll also find details on how to make a Freedom of Information request and where else you can get help in approaching public bodies.

**citizens
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How to raise a concern about a public service

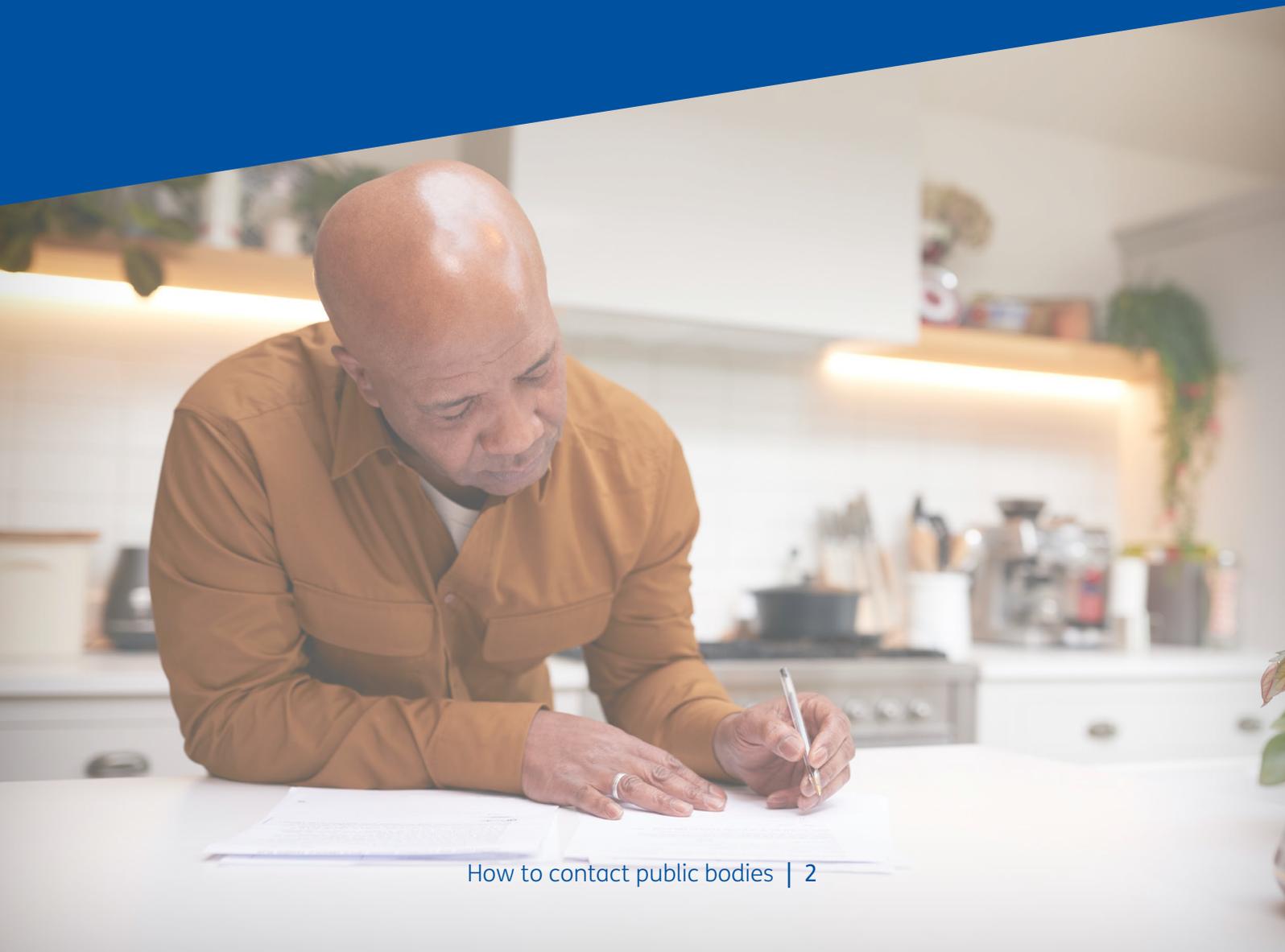
You have a right to raise an issue, concern or complaint about a public authority. You can do this for yourself or for someone else.

For example, you might have concerns about the safety and wellbeing of people in care or you may wish to complain about an organisation which provided you a poor service.

Try to raise your concern or complaint as soon as possible. Use the organisation's complaints procedure, if it has one. They might be able to fix the issue straight away. If possible, keep a written record of your complaint and any correspondence you may have with the organisation.

If you're unhappy with the outcome or you don't get a response, this guidance can help you take your issue further.

You could also contact your local councillor, MP or MSP about your concerns.



Scottish Public Services Ombudsman

Who they are and what they do

The [Scottish Public Services Ombudsman](#) (SPSO) is the final stage for complaints and concerns about most public services in Scotland. This includes councils, the NHS, housing associations, colleges and universities, prisons and the Scottish Government.

The SPSO looks into how public services dealt with your formal complaint. It will look at whether the organisation acted properly in the way they handled their investigation. This means whether the organisation followed the correct process when reaching its decision. For example, the SPSO will look at whether the public service took an unreasonably long time to answer your complaint or didn't follow their own procedures when considering your complaint.

If the SPSO finds that something's gone wrong, then it puts things right for you. This can include asking the public service to apologise. It can also make recommendations for improvements which are aimed at preventing failings from happening again, for example by recommending that the organisation change their procedures.

The SPSO also deals with NHS whistleblowing concerns raised by people delivering NHS services and reviews local authorities' decisions about SWF grant applications. [You can find more information about these services on the relevant websites.](#)

What they don't do

The SPSO can't change an organisation's policies, ask for disciplinary action to be taken against a member of staff or get someone removed from their job.

In most cases, the SPSO cannot change a decision that has been made properly. However, for complaints about NHS services and social work, the SPSO must question matters of professional judgement in treatment and care.

How to contact the SPSO

The SPSO only considers [complaints which have been raised formally with the public service.](#)

If you're unhappy with the outcome of or response to your complaint, [you can complain to the SPSO](#) within 12 months of you knowing about the issues in your complaint.

You can complain by filling in the [complaints webform on the SPSO website](#) or posting the completed form. You can [download a complaints form](#) and write 'Freepost SPSO' on the envelope. You don't need a stamp.

What to expect

The SPSO will be in touch with you within 5 days of receiving your complaint. Some cases are closed early in the process, for example if the SPSO is able to find a resolution. If your complaint is investigated, you will be contacted and informed about what happens next. You can find out more in the [guide about what happens after you complain to the SPSO.](#)

Care Inspectorate

[The Care Inspectorate](#) is responsible for inspecting and regulating standards of care in Scotland. Everyone in Scotland has a right to safe, high quality and compassionate care. All care services must be registered with the Care Inspectorate. There are 14,000 registered care services in Scotland, from care homes to childminders.

What they do

The Care Inspectorate carries out inspections to check how well organisations support adults and children and has powers to make care better. If the Care Inspectorate finds that care isn't good enough, it takes action. It makes recommendations for improvements and issues requirements for change.

It also checks that improvements have happened. If a care service doesn't improve, the Care Inspectorate can carry out enforcement action including, at last resort, closing it down subject to the decision of a sheriff.

What they don't do

Hospitals and hospices are inspected by [Healthcare Improvement Scotland](#). Schools and colleges are inspected by [Education Scotland](#).

How to contact the Care Inspectorate

If you think a care service isn't good enough, you should raise it with the manager of the service first. If you are still unhappy, you can [complain to the Care Inspectorate via their complaints form online](#). You can also email concerns@careinspectorate.gov.scot or call 0345 600 9527, Monday to Friday 9am to 4pm.

You can find out more about what to do [if you're concerned about wrongdoing in your workplace on the Care Inspectorate website](#). This is called whistleblowing.

If you want to complain about the Care Inspectorate, you are encouraged to speak to the person involved. This could mean an 'on-the-spot' apology and explanation. If this is unsatisfactory, you [can find more information on what to do and to expect here](#).

What to expect

The Care Inspectorate will risk assess any complaints they get and might call you to talk about it. They aim to complete any investigation within 40 working days. They will explain what they are doing about your concerns and why. You can [find out more information on how they deal with your concerns on the website](#).

If you're unhappy with the outcome of your complaint, you can [ask the Scottish Public Services Ombudsman to look into it](#). The SPSO can only review complaints regarding the Care Inspectorate and cannot change a decision the Care Inspectorate has already made.

Audit Scotland

Who they are and what they do

[Audit Scotland](#) checks how public bodies spend money and deliver services. It checks bodies such as local councils, NHS bodies, the Scottish Government, Scottish Parliament and Scottish Water.

Audit Scotland makes sure that money is spent properly, efficiently and effectively. It also looks at performance, for example of councils, airports, new projects and the management of key services. Its work is [reported in public through a range of local and national reports](#). It also reports to Scottish Parliament committees, boards and councils, telling them what's working well and ways they can improve.

What they don't do

Audit Scotland doesn't investigate issues that only affect a small number of people, unless the issue involves a lot of money. For example, it doesn't look at decisions on benefit claims or act on complaints about services provided by a public body like street lighting. Audit Scotland also has no power to reverse, change or stop decisions already made by a public body.

How to contact Audit Scotland

Audit Scotland recommends first raising your issue of concern with the public body concerned. If this doesn't address your concern, you can then raise it with Audit Scotland.

You [raise a concern by filling in the form on the Audit Scotland website](#). Email the completed form to correspondence@audit-scotland.gov.uk or post it to: the correspondence team; Audit Scotland; 102 West Port; Edinburgh; EH3 9DN. You can also telephone Audit Scotland on 0131 625 1500, Monday-Friday 8.45am-5pm.

If you work for the organisation you're concerned about, you should [fill in a whistleblowing disclosure from the Audit Scotland website](#). If the NHS is the organisation you work for, you can [ask the Independent National Whistleblowing Officer for the NHS in Scotland to look into it for you](#).

Other reasons you might get in touch with Audit Scotland include raising an [objection about a Scottish local authority's annual account](#), making a [Freedom of Information request](#), or [complaining about Audit Scotland, the Accounts Commission or the Auditor General for Scotland](#). If you wish to [complain about the standards of Accounts Commission members](#), you should [complain to the Ethical Standards Commissioner](#).

For general enquiries email info@audit-scotland.gov.uk, telephone 0131 625 1500 or write to 4th Floor, 102 West Port, Edinburgh, EH3 9DN.

What to expect

Audit Scotland aims to reply to you within 30 days. They will explain what they are doing about your concerns and why.

Scottish Information Commissioner

Who they are and what they do

The Scottish Information Commissioner is the independent public official responsible for promoting and providing information about rights to access information. The main role of the Scottish Information Commissioner is to:

- > Investigate Freedom of Information (FOI) appeals
- > Promote the public's right to know and access information
- > Support those who want to promote FOI
- > Publish advice and guidance on FOI law
- > Intervene when public authority practice is not compliant with FOI law.

The Commissioner deals with requests for information held by public organisations that operate only in Scotland (for example, the Scottish Government).

What they don't do

If you want to access information from a UK-wide public authority which operates in Scotland, for example the BBC, see the website of the [UK Information Commissioner](#).

How to contact the Scottish Information Commissioner

If you are unhappy with the outcome of an public organisation's review into your FOI request, or if it refused to carry out or hasn't responded to your request, you can appeal to the Commissioner. Your appeal must be within six months of you receiving the authority's response.

You can [appeal online on the Scottish Information Commissioner's website](#). Alternatively, you can [download an application form](#) and email it to enquiries@itspublicknowledge.info or post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS. You can check [what to include in your appeal on the Scottish Information Commissioner's website](#).

What to expect

The team supporting the Scottish Information Commissioner will acknowledge the receipt of your appeal within two working days. They will then check if the appeal is valid. They will give you support and advice on the process of the appeal. If the appeal is investigated, they will explain what they are doing about your concerns and why.

Getting information: Freedom of Information requests

What is a Freedom of Information request and how can it be used?

You have a legal right to ask for information from organisations in Scotland like councils, the Scottish Government, the NHS and the police. You ask for information using a Freedom of Information (FOI) request. You may have to pay a fee but it can't be more than £50.

It means that, in most cases, you can access information that is stored or held in some way by public authorities e.g. on paper or computer files, including emails or video.

Because FOI gives you the right to request and receive information, it can be used as a way of holding public authorities to account. It also ensures public authorities publish information.

Information you can ask for

You can use your rights to ask for all sorts of information including why decisions affecting local services have been made like which roads to repair or the studies carried out before decisions are taken e.g. on the safety of vaccines.

Information you can't ask for

You can't ask for information about yourself. This is done through a Subject Access Request (SAR) under the Data Protection Act 1998. [Find out more on the UK Information Commissioner's website.](#)

You can't ask for environmental information. [Find out more about asking for environmental information on the Scottish Information Commissioner's website.](#)

How to make an FOI request

Before you make an FOI request, check the organisation's website. They might have already published the information you want or replied to a similar FOI request.

An FOI request must be made in a recorded format e.g. letter, email or online form. You'll need to include your full name and postal or email address so the organisation can reply. FOI requests can't be anonymous.

If you do not have their FOI address or contact person, you can legally send your request to anyone in the organisation from a receptionist to a senior official.

Try to make your request for information as clear and brief as you can. Organisations have to help and advise you with an FOI request. For example, they have to help you with the wording.

[Find out more about FOI requests on the Scottish Information Commissioner's website.](#)

Getting information: Freedom of Information requests

What to expect

Organisations must respond to an FOI request within 20 working days.

If you're unhappy with how your request has been dealt with, you can ask the organisation to do an internal review. If you're still unhappy, you [can appeal to the Scottish Information Commissioner](#).



Getting help with contacting a public body

You can get further advice on how to raise an issue, complaint or whistleblowing disclosure with a public body in Scotland from a number of organisations, including:

Age Scotland	<p>Provides older people with information and advice, helping them understand their rights and access appropriate support. You can contact them via their online form, advice pages or free helpline 0800 12 44 222 available Monday to Friday 9-5pm.</p>
Citizens Advice Scotland	<p>You can get help from a local Citizens Advice Bureau or call the free helpline on 0800 028 1456, Monday to Friday 9am to 5pm. You can also get advice on the Citizens Advice Scotland website.</p>
Equality Advisory Support Service	<p>Supports individuals on issues relating to equality and human rights. You can contact them online or on their free helpline 0808 800 0082 available Monday to Friday 9am-7pm and Saturday 10am to 2pm.</p>
Patient Advisory Support Service	<p>Citizens Advice Scotland offers free, confidential and independent advice and support for patients of the NHS in Scotland. For more information on how they can be contacted visit the website.</p>
Protect	<p>Offers free and confidential advice on whistleblowing. You can contact their team of legal advisors online via their webform or through their freephone Advice Line on 020 3117 2520.</p>
Scottish Independent Advocacy Alliance	<p>Ensures independent advocacy is available to any vulnerable person in Scotland. To find an advocate visit their website, contact them via online form or call 0131 510 9410.</p>

